

NAME OF THE INSTITUTE:

BOWRING & LADY CURZON MEDICAL COLLEGE & RESEARCH INSTITUTE

PLACE : BANGALORE

MEMORANDUM OF ASSOCIATION

- 1. Name of the Society :** The name of the society shall be (Name of the Institution)
**BOWRING & LADY CURZON MEDICAL COLLEGE & RESEARCH INSTITUTE,
SHIVAJINAGAR, BANGALORE**

- 2. Registered Office :** The registered office of the society shall be (Name of the Institution)
**BOWRING & LADY CURZON MEDICAL COLLEGE & RESEARCH INSTITUTE,
SHIVAJINAGAR, BANGALORE**

- 3. Objectives of the Society :** The objectives shall be as follows, namely:-
 - (a) to impart teaching to undergraduate, postgraduate, super-speciality courses / fellowships, research in allied branches of medical science/paramedical/allied health science/nursing;

 - (b) to conduct continuing medical education programmes;

 - (c) to take up research programmes in all the disciplines of medical science;

 - (d) to support, organize and encourage clinical/pre-clinical/para-clinical and basic research programmes relating to diagnosis and treatment of diseases;

 - (e) to organize training programmes in diagnosis, treatment, rehabilitation and research in diseases with a stress on preventive (primary, secondary and tertiary) aspects in the community;

 - (f) to support, organize and encourage scientific meetings, seminars, conferences, continuous medical education programmes, symposia and workshops including local, national and international arenas;

 - (g) to institute prizes, awards, scholarships, travel grants, research grants and stipend in furtherance of the objectives of the Institute including local, national and international arenas;

 - (h) to patronize publications in journals, research papers, educational leaflets, brochures, hand books and textbooks on various aspects of diseases and research work in the institution with national/international standards;

- (i) to educate the public and raise awareness programmes on all aspects relating to the control and prevention of all kinds of diseases in urban and rural areas;
- (j) to organize and /or to promote exhibition of aspects/issues related to diseases and hence make provision for suitable control and preventive (primary, secondary and tertiary) measures to be adopted in urban and rural areas;
- (k) to invite participation of representatives on need basis including officials/personalities from various walks of life representing Governments, Universities and other organizations/institutions in India and/or from other countries to fulfil the objectives of the said society;
- (l) to develop inter-relationship with institutions/organizations and other agencies on need basis within India and/or from other countries having similar objectives;
- (m) to initiate and develop research in these fields, personalized skills, material and data from National and International Institutions and Agencies for its accreditation programmes;
- (n) to develop cooperative efforts and enter into MOU with National and International Institutions/Organizations/Agencies engaged in similar work with the concurrence of the Government and establish lines of communication for exchange of expertise, personnel, material and data;
- (o) to issue appeals and apply for grants from the Government or from any other private or public agencies for funds in furtherance of the objectives of the Institute and to raise or collect funds by gifts, donations, subscriptions in cash or kind including securities and any property either movable or immovable in the name of the institution;
- (p) to do all such lawful acts and things either alone or in conjunction with other organizations or persons as the institute may consider necessary, incidental or conducive to meet the above mentioned objectives;
- (q) to create public private partnerships with public and private organization / alumni of the respective organization with prior approval of the State Government.

4. Income of the Association : The income of the Association shall comprise of the grants / grants-in-aid released from time to time from the State Government/ Central Government / Local Authority / Individual or Body, from Users funds from

Hospital and academic funds from College, collection of fees from the undergraduate and postgraduate students, super specialty students and from students of paramedical/allied health sciences/nursing courses. Donations and subscriptions from public and Non Resident Indians (NRIs).

- 5. Utilization of income :** The income of the Institute so derived shall be utilized for achieving the aims and objectives of the Institute including the attached hospitals, education in the institute and research work of the institute.
- 6. The Management of the Institute :** The management of the Institute shall be vested with the Governing Council of the Institute.

GOVERNING COUNCIL

1.	Hon'ble Minister for Medical Education	Chair-Person
2.	The Secretary to Government, Health and Family Welfare Department (Medical Education)	Vice Chair-Person
3.	Vice Chancellor, Rajiv Gandhi University of Health Sciences or his nominee	Member
4.	The Secretary to Government, Finance Department or his nominee not below the rank of Secretary	Member
5.	The Secretary to Government, Health and Family Welfare Department or his nominee not below the rank of Secretary	Member
6.	Director of Medical Education	Member
7.	Respective MLA/s from Legislative Assembly Constituency in which the institute is located	Member/s
8.	Chief Administrative Officer, Bowring & Lady Curzon Medical College & Research Institute, Bengaluru	Special Invitee Member
9.	Chief Accounts Officer cum Financial Advisor, Bowring & Lady Curzon Medical College & Research Institute, Bengaluru	Special Invitee Member
10.	Director cum Dean, Bowring & Lady Curzon Medical College & Research Institute, Bengaluru	Member Secretary

7. Disqualification for the office of membership :

- (1) A person shall be disqualified for being appointed as and for being a member, if he
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- (a) has been convicted and sentenced to imprisonment for an offence which in the opinion of the State Government involves moral turpitude; or
 - (b) is of unsound mind and stands so declared by a competent court; or
 - (c) is an 'un-discharged insolvent' ; or
 - (d) has been removed or dismissed from service of the Central Government or a State Government or a body or corporation owned or controlled by the Central Government or a State Government; or

- (e) has directly or indirectly by himself or his partner has any share or interest in any work done by the order of the Institute or in any contract or employment with or under or by or on behalf of the Institute; or
- (f) is employed as a paid legal practitioner on behalf of the Institute or accepts employment of legal practitioner against the Institute.

(2) A person shall not be disqualified under sub-clause (e) of clause (1) or be deemed to have any share or interest in any contract or employment within the meaning of the said clause by reason only of his having a share or interest in any media (Print and/or visual) in which any advertisement relating to the affairs of the instituted is inserted.

8. Removal of Member : (1) The State Government shall remove the member if –

- (a) S/he becomes subject to any of the disqualifications mentioned in clause (7); provided that no member shall be removed on the ground that he has become subject to the qualification mentioned in sub-clause (e) of the clause (1) of that clause, unless he has been given an opportunity of making his representation against the proposal; or
- (b) S/he refuses to act or becomes incapable of acting; or
- (c) S/he without obtaining leave of absence from the Institute, absents from three consecutive meetings of the Institute; or
- (d) in the opinion of the State Government s/he has so abused his/her position as to render his/her continuance in office detrimental to the public interest:

Provided that no member shall be removed under this clause unless s/he has been given an opportunity of making his/her representation against the proposal.

9. Alteration of Memorandum of Association : No amendments or alterations of Memorandum of Association shall be made except with prior approval of the State Government in accordance with Section 9 of the Karnataka Societies Registration Act, 1960.

10. Framing and modification of Rules & Regulations and Bye Laws – The Governing Council shall be competent to frame and to amend or vary part and/or whole of the Rules & Regulations and Bye Laws of the Institute subject to such directions if any, issued by the State Government in accordance with the Karnataka Societies Registration Act, 1960.

11. Amalgamation, Dissolution/winding of the Society : The Governing Council shall be empowered to invest the funds of the Institute in movable or immovable properties, in such manner as they deem fit for the purpose of the objectives of the Institute provided that such investments shall be in accordance with the provision of Section 13(1) read with Section 11(5) of the Income Tax Act 1961 as well as of any other law for the time being in force as are applicable to charitable Institute within such manner as the State Government may determine. Any amalgamation or dissolution/winding of the Society shall be ordered of the following sections 21 & 22 of the Karnataka Societies Registration Act 1960.

12. Subscribers of the Memorandum of Association :

Sl. No.	Designation	Address	Name	Signature
1	Hon'ble Minister for Medical Education	Room No.301, Vidhana Soudha, Bengaluru-560001	Dr.Sharanprakash Patil	
2	Secretary to Govt., Department of Medical Education	6 th Floor, Gate-4, M.S.Building, Bengaluru -560001.		
3	Additional Chief Secretary/ Secretary to Government, Finance Department	Room No. 2 nd Floor, Vidhana Soudha, Bengaluru -560001	Sri.I.S.N.Prasad	
4	Secretary to Government, Social Welfare Department	Bengaluru -560001		
5	Director of Medical Education	Directorate of Medical Education, Ananda Rao Circle, Bengaluru -560009.	Dr.Sacchidanand S.A.	
7	Director cum Dean, Bowring & Lady Curzon Medical College & Research Institute	Hospital Road, Shivajinagar, Bengaluru -560001.	Dr.K.S.Manjunath	

Correspondent : The Dean & Director of the Institute shall be the correspondent in all matters with the Registrar of societies.

Witness:

- 1.
- 2.
- 3.

**BOWRING & LADY CURZON MEDICAL COLLEGE & RESEARCH INSTITUTE, BENGALURU
RULES & REGULATIONS – 2017**

1. Short title, extent and commencement :

- (1) These rules and regulations shall be called BOWRING & LADY CURZON MEDICAL COLLEGE & RESEARCH INSTITUTE, BENGALURU Rules & Regulations 2017.
- (2) They apply to Bowring & Lady Curzon Medical College & Research Institute, Bengaluru
- (3) They shall come into force from the date on which the Government issues a notification to that effect.

2. Definitions : (1) In these rules and regulations, unless the context otherwise requires –

- (a) “Act and Rules” means the Karnataka Societies Registration Act, 1960 and Rules made there under.
- (b) “Academic staff” means members of the staff who are wholly/partly engaged in teaching or research programme.
- (c) “Appointing Authority” means
 - (1) Government of Karnataka in respect of the first Dean/Director.
 - (2) Chief Administrative Officer, Chief Accounts Officer cum Financial Advisor/Accounts officer and other Gazetted officers on deputation from the Government of Karnataka.
 - (3) Selection Committee in respect of the subsequent appointments to Dean/Director, Medical Superintendents, Group “A”, “B”, “C” and “D” posts and other equivalent posts. The Chair-Person of the respective selection committee shall be the appointing authority.
- (d) “Attached Hospitals” means the Hospitals & Institutions coming under the administrative control of the Institute.
- (e) “Bye-Laws”, means the Bye-Laws of the Institute, framed under the Rules & Regulations, 2017 of the institute.
- (f) “Chair-Person” means the Chair-Person of the Governing Council, the standing Committees, sub committees, selection committee and other committees mentioned in the Rules & Regulations, Bye-Laws of the institute and such

other committees formed on adhoc basis.

- (g) “Chief Administrative Officer” means the Chief Administrative Officer of the Institute and “Administrative Officer” means Administrative Officer of the hospital / other institution attached to the Institute, who shall be in charge of the administration.
- (h) “Chief Accounts Officer cum Financial Advisor” means the Chief Accounts Officer cum Financial Advisor to the Dean cum Director of the Institute who shall be work under the Dean cum Director in managing the Finances of the Institute.
- (i) “Director cum Dean” means the Dean cum Director of the Institute.
- (j) “Employee” means a person employed in the Institute either on deputation, OOD, permanent employment, contract with consolidated pay, out sourced personnel, any other human resources receiving financial benefits directly or indirectly, wholly and/or partly from the institute. This shall exclude those human resources who are employed by agencies involved in Public Private Partnership of the institute.
- (k) “Governing Council” means the Governing Council of the Institute which will take decisions on new policies and framing guidelines on need basis.
- (l) “Institute” means BOWRING & LADY CURZON MEDICAL COLLEGE & RESEARCH INSTITUTE, BENGALURU
- (m) “Head of the Department” means one of the Professors of the Department who shall head the respective Department in the Institute.
- (n) “Medical Superintendents” means one the professors of the Medical College working in the attached hospitals of the Institute, appointed as per MCI norms.
- (o) “Meeting” means a meeting of the Governing Council, of the committees and sub committees of the Institute.
- (p) “Member” means the member of the Governing Council, of the committees and other sub committees of the Institute.
- (q) “Pay” includes “Personnel pay” and such allowances specifically included in the term “pay” by the Government and/or Governing Council but shall not include honorarium.

- (r) "Selection committee" means the selection committee for selection and appointment of candidates for the institute.
- (s) "State Government" means Government of Karnataka.
- (t) "Year" means the calendar year commencing from the first of January to 31st December of particular year and the "Financial Year" means the year commencing from 1st April of any year and ending on the 31st March of the succeeding year.
- (u) "users fund/charges" means the fund including collection of fees from the undergraduate and postgraduate students, super specialty students and from students of Paramedical/allied health sciences/nursing courses of the respective Institute, clinical fees received from other colleges and Institutes, donations and subscriptions from public, amount collected from patients for rendering clinical services in the hospitals.
- (2) Other terms not specifically defined herein but are defined in the Karnataka Civil services Rules 1977, Karnataka Financial Code, 1958 and other rules applicable to State Government employees shall have the same meaning in these rules and regulations.
- (3) Arbitration and Legal Jurisdiction of the Institute shall be vis-a-vis the Head quarters of BOWRING & LADY CURZON MEDICAL COLLEGE & RESEARCH INSTITUTE, BENGALURU.

3. Committees of the Institute:

- (1) The Governing Council may constitute as many number of standing committees and as many number of sub-committees as it thinks fit for exercising any power or discharging any functions or responsibilities or for inquiring into or reporting or advising upon any matters specifically referred to them.
- (2) A Standing Committee shall be constituted comprising members of the Institute, but a sub-committee may include non-members also but not exceeding one-third of the total members in the particular committee.
- (3) The Official/Non-Official members of the Governing Council, the Standing Committees or Sub-Committees of the institute shall receive such allowances or Sitting Fees, as may be specified under the regulations. A member so nominated to the Governing Council shall cease to hold the post on his resignation or based on the parameters as mentioned under the Disqualification for office of membership clause (7) and removal of member clause (8) of the Memorandum of Association as registered under the Societies Act. The tenure of

the nominated members shall be for maximum period of 3 years or until further orders of State Government whichever is earlier.

4. Management of the Institute:- The overall administration and academic work of the Institute shall vest with the Dean cum Director of the Institute subject to the direction of the Governing Council and the State Government as the case may be.

5. Other staff of the Institute:-

(1) The Chief Administrative Officer, Chief Accounts Officer-cum-Financial Advisor, Heads of the Departments, Professors, Associate Professors, Assistant Professors, Lecturers, Senior Residents, Resident Medical Officers, Civil Surgeons, Senior Specialist, Tutors, Assistant Surgeon/Casualty Medical Officers, Junior Residents and other members of medical faculty (teaching & non teaching), Law Officer/Legal Officers, Assistant Administrative Officers, Estate Officers, Public Relation Officers, technical (skilled & semi skilled) and other non teaching staff.

6. Meeting of the Governing Council:-

(1) The meeting of the Governing Council shall be held at least once in a quarter or as often as possible as deemed necessary by the Chair-Person.

(2) Proceedings of all the meetings of the Governing Council shall be recorded in the minutes book. The Member Secretary shall arrange to record the discussions and decisions. The Chair-Person shall approve the same after due scrutiny. No decision of the Governing Council which is against the policy of the State Government shall be implemented without the prior approval of the State Government.

Any matter with financial implication shall be implemented only after obtaining the approval of the State Government.

(3) There shall be a special meetings, whenever the same are necessary and is decided by the Chair-Person, or the same is requisitioned by not less than six members.

(4) The quorum of the meeting shall be not less than 50 percent of the total members.

(5) Every meeting shall be presided over by the Chair-Person present and in his absence, the Vice Chair-Person shall preside over the meeting and in the absence of both, the members present shall elect one among them to function as Chair Person.

(6) If there is no quorum at the time scheduled for holding the meeting, the

meeting shall be adjourned to a suitable time on the same day or to any other day as decided by the person presiding over the meeting. All adjourned meetings need not have the required quorum.

- (7) Non-receipt of notice need not be a reason for invalidation of the proceedings of the meeting
- (8) The proceedings of the Governing Council shall not be invalid on the ground of any vacancy in the Governing Council or absence of any member.
- (9) The Chair-Person of the Governing Council can take decision in special circumstances subject to post-facto ratification in the ensuing Governing Council Meeting.
- (10) The Director cum Dean along with the Chief Administrative Officer of the institution may take any decision in special circumstances and place the subject for post-facto ratification in the ensuing Governing Council Meeting.
- (11) The report of the management of the society for the previous year together with an audited copy of the balance sheet, income & expenditure account and the auditor's report shall be submitted for approval before the financial committee constituted by the institute and placed before the Governing Council for approval.

7. Powers and functions of the Governing Council:-

- (1)The Governing Council shall have full powers to manage the Institute so as to serve the purpose for which it is formed.
- (2)The Governing Council shall perform the following functions, subject to provisions of Rule 6(2) namely:-
 - (a) Framing of rules, regulations, byelaws, cadre and recruitment rules, policies and procedures for effective implementation of the purpose to carry out the overall functioning of the Institute.
 - (b) To consider and approve the budget estimates and expenditure in consonance with the existing laws.
 - (c) To invest funds in Nationalized Banks.
 - (d) To borrow money on such terms and conditions as are deemed feasible and reasonable.

- (e) To create posts and to take action for filling up of the posts in accordance with the relevant rules.
- (f) To enter into agreement or contract with any Government or local authority, so as to obtain any right, privilege or concession for the fulfilment of the objectives of the Institute.
- (g) To draw, accept, endorse, discount, execute, assign and otherwise deal with cheques, hundis, drafts, certificate receipts, Government securities, promissory notes, bills of exchange or other negotiable instruments of the Institute.
- (h) To pay the costs and expenditure for promotion, establishment and to carry out work of the Institute
- (i) To take steps for making the Institute self reliant in matters of finance.
- (j) To prescribe course of study at the Institute and to take action for adding, omitting of any courses thereto or more, award degrees and diploma certificates.
- (k) To take steps for providing facilities and care to the in-patients and out patients.
- (l) To take measures for conduct of business in the meetings of Governing Council.
- (m) To ensure proper maintenance of records pertaining to finance and accounts of the Institute.
- (n) To take steps, regarding fees, charges and to allocate the work and functions to the Director, other officers and employees.
- (o) To frame rules or byelaws for getting the officials on deputation with proper delegation of powers and for imposition of penalties, duly taking action.
- (p) To take steps and decisions regarding admission under different quota, training and research.
- (q) To take action regarding mode of payment of pension, gratuity, provident fund, and other service benefits to its employees and in maintaining other funds or other matter necessary for carrying out the business of the Institute.

- (r) To accord approval for appointment on placing before the Governing Council or after appointment post-facto ratification may be sought for the following recruitments:
- (i) To appoint regular faculty members against sanctioned post to be made as per MCI guidelines for UG/PG purpose.
 - (ii) To appoint Duty Doctors and/or Consultants based on the qualification and experience in the clinical/para clinical departments as per the hospital bed strength and Patient-Doctor Ratio for smooth functioning of the hospital as per the Indian Public Health Standards (IPHS) guidelines of Ministry of Health, Government of India with revised editions. The requirements to be projected on the basis of estimated case load for hospital and its bed strength and should be in a position to provide all basic speciality services and should aim to develop super-speciality services gradually. The Hospital also needs to be ready for epidemic and disaster management all the times. It should provide facilities for skill based training for different levels of health care workers. The service to be considered include OPD, indoor and emergency service besides the basic speciality service, due importance has to be given to the new born care, psychiatric service, physical medicine, rehabilitation service, accident and trauma service, dialysis service, anti retroviral therapy. The hospital service requires continued up-gradation to keep pace with the advances in medical knowledge, diagnostic procedures, storage and retrieval of information. It has been observed the development of hospital have to be kept pace with the scientific development and temperament. This would help monitor and improve the functioning of the hospital.
 - (iii) To appoint retired faculty members on contract basis, if required in the absence of eligible faculty for the purpose of teaching as per MCI guidelines.
 - (iv) To appoint non-teaching administrative, paramedics and other posts which are necessary on contract basis with consolidated pay to the existing vacancies (the pay to such appointments to be made against the sanctioned post).
 - (v) For appointments made against non-existing posts irrespective of cadre, the pay to such appointments to be made through the users charges/fund of the hospital/institution and the pay to be fixed as per the qualification and experience.
- (s) Any other matter not included in the list may be placed before the Governing Council as any other subject with the approval of the Chair-Person.

8. Power to issue directions:- The State Government may issue *suo-moto* such directions as may be necessary or expedient in the matter of both Academic and Administrative functioning of the Institute/hospital in order to ensure standards of excellence in both Administration and Academic matters and to protect the property and finance of the Institute. It shall be obligatory on the part of the Institute to comply with such directions.

9. Powers and functions of the Dean cum Director :- The Dean cum Director shall be the Executive Head of the Institute and the attached hospitals. He/she shall have the Supervisory Authority in respect of matters including Administration, Financial Functions, Academic issues, etc., of the Institute and the attached hospitals. The Dean cum Director shall also be the Chair-Person of the User Charges/Funds (Arogya Raksha Samithi/Academic funds and other funds raised for the Institute and/or the attached hospitals). The administrative /Financial Powers and other powers and functions of Dean cum Director are as specified in Annexure-I.

10. Transfer of the Teaching / non-teaching staff :-

- (1) Generally, there shall be no transfers of teaching and non-teaching staff recruited or absorbed by the institute from one autonomous institute to another autonomous institute. However, under extra-ordinary circumstances and for the reasons to be recorded in writing, the Government shall have the powers to transfer any teaching or non-teaching staff from one autonomous institute to another autonomous institute. Teaching / non-teaching staff so transferred shall be shown last in the seniority list of that category, to which s/he has been transferred to, irrespective of this seniority in the parent institute. This is only applicable on request transfer or punishment transfer, but the incumbent cannot be taken without the No Objection Certificate issued prior to the transfer from the institution. No such transfer can be considered without a resolution of the respective governing council to spare/accept a person.
- (2) For transfers/internal changes within the administrative jurisdiction of the institute, the decisions taken by the Director cum Dean and Chief Administrative Officer for the smooth functioning of the institution/attached hospitals shall be final and binding. This shall also apply to the teaching, non-teaching staff of the institution and also for the employees on deputation from the Department of Health & Family Welfare, Government of Karnataka or any other agencies.
- (3) In cases where the administration thinks that transferring of teaching/non-teaching staff after conducting disciplinary proceedings

against the official and charges proved and may think deems fit for transfer or removal of the official the Director cum Dean and Chief Administrative Officer can directly terminate or suspend the services of Group-C & D employees. And for the teaching faculty members may be placed before the Governing Council and State Government for disciplinary action.

11. Proceedings of the meeting :- All the agenda placed before the governing council if approved, the resolutions passed during the course of meeting shall be noted by the Member Secretary or official nominated by him/her and approved resolutions shall come to effect from the date of meeting held and the official copy of the same to be circulated amongst members after the countersignatures of the Chairman.

12. Allowances to the members of the Governing Council :- Every member/ invitees shall be paid travelling and daily allowance for attending the meetings, as per the approval of the Governing Council at the rates fixed by adopting the relevant rules/norms.

13. Legal Proceedings :- The Dean cum Director of the Institute or his representative shall sue and be sued and represent in all legal proceedings whether civil, criminal or of any kind and sign and defend on behalf of the Institute.

14. Development and maintenance of the Institute & its attached Hospitals and other Institutions:- The following shall be the objectives of the Institute:-

- (a) Completion of ongoing schemes.
- (b) To provide amenities as per Medical Council of India Regulations and/or guidelines.
- (c) To provide other amenities in running the Institute in a smooth and satisfactory manner including maintenance, repairs, supply of electricity, water and sanitation, gardens and other aesthetic parameters.

15. ABSORPTION OF STAFF:

- a) Institute shall, subject to the sub clause (c) here below, give to all present employees of the Institute to seek an option from the Institute or to get repatriated;

- b) The decision to continue in the Institute shall be subject to decision of the Parent Department and Medical Education Department and approval of the Governing Council.
- c) The decision to repatriate any official on deputation from the Institute/attached hospital shall be decided by the Director cum Dean.
- d) It shall be lawful for the Institute to obtain at any time after the commencement of these rules, the services of any official from the State Government on deputation or to absorb in its service any servant of the State Government, provided that for absorption into the service of the Institute the Officers / employees shall be found suitable by the institute, provided that the terms & conditions on which any servant of the State Government may be so absorbed shall not in any way be less advantageous than the pay and emoluments conditions obtaining to him/her immediately before the date of his absorption in the service of the Institute.

16. Appointment of Dean cum Director :-

- (1) The Government of Karnataka shall appoint the *First* Dean cum Director, after getting satisfied as to his/her qualifications and eligibility for a maximum period of 4 years. And upon superannuation within the said period, the decision of service extension shall be taken by the Governing Council in concurrence with Government of Karnataka. The said service extension period may be continued with the last pay drawn and the proposal to be submitted 3 months prior to his/her superannuation.
- (2) Consequent on superannuation, resignation, removal, death or cessation of the term of Dean cum Director, appointment can be made temporarily for a period not exceeding six months to the said post by the Chair-Person/Vice Chair-Person of the Governing Council till regular appointment is made.
- (3) The Governing Council shall appoint the Dean cum Director through a selection process. Such appointments shall be on the recommendations of the Governing Council in accordance with the provisions of the rules & regulations and byelaws. There shall be no extension of the term.
- (4) The appointment to the post of Dean cum Director shall be as per the qualification mentioned in the Cadre & Recruitment Rules of the institute and the existing MCI guidelines.
- (5) The Dean cum Director shall not be removed from his office except by an order of the Governing Council passed on the ground of wilful omission or

refusal to carryout the provisions of the Byelaws or abuse of powers vested in him and in consideration of the report of an enquiry ordered by it under clause (6).

- (6) For the purpose of holding an enquiry under this clause, the Governing Council shall appoint a person not below the rank of District Judge in the serious charges which have been proved in the preliminary enquiry conducted by the Government. The enquiry authority shall hold the enquiry after giving an opportunity to make representation by the Dean cum Director and shall submit a report to Governing Council and the Governing Council shall consider the report within three months and pass suitable orders including imposition of any suitable penalty.

Provided that where on such enquiry it is proved that Dean cum Director has misused any of powers, the State Government may also withdraw any or all of the powers that are exercised by the Director cum Dean and may confer the same on an officer of Medical Education Department not below the rank of Joint Director to Government till final orders are passed on such enquiry.

- (7) The recruitment for the post of Director cum Dean will be as follows:
- (a) The Director cum Dean Post will be a selection post, from amongst the five **senior most professors** working in the institute.
 - (b) The Director cum Dean is a fixed tenure post and no person shall continue to serve more than 4 years.
 - (c) The Person to be appointed must have minimum of two years of service prior to superannuation.
 - (d) S/he must qualify as per the MCI requirements with revised rules existing at the time of notification.
 - (e) Extension of service: The Governing Council will have full powers to extend the services of Dean cum Director in exceptional cases where there is no eligible candidate for the said post.
 - (f) The extension of service shall be placed with justification before the Governing Council by the Chief Administrative Officer of the Institute to be placed before the Governing Council 3 months prior to the superannuation.
 - (g) The financial and other benefits of Director cum Dean during service extension shall be as per the existing rules and norms of the State Government.

17. Delegation of powers :- (1) The Governing Council may delegate its financial,

administrative and other powers to Dean cum Director and other officers of the Institute like Superintendent of the Hospitals, Chief Administrative Officer, Chief Accounts Officer-cum-Financial Advisor, Heads of the Department and to any other officers of the Institute with a view to meet functional, academic and administrative requirements with a overall intention to improve the functioning of the Institute.

(2) Under no circumstances the institute must be bifurcated into speciality and super-specialities and the complete institute will have only one Director cum Dean, Chief Administrative Officer, Financial Advisor cum Chief Accounts Officer and Medical Superintendent of the respective hospitals. Only individuals officiating in the posts sanctioned by the State Government shall administrate the institution till their superannuation/retirement. Creation of post for individual department/ speciality /super-speciality as administrators shall be deemed invalid. All the administrative heads and financial heads of the institute and hospitals will work under the Director cum Dean of the institute.

(3) The Dean cum Director may exercise the powers specified in the Annexure to these rules.

18. Appointment of Medical, Para Medical and Administrative Staff :-

- (1) All appointments to the institute shall be done on the basis of provisions of C&R Rules and subject to reservation policy of the State Government.
- (2) The appointment of the Dean cum Director, Medical Superintendents, Professors, Associate Professors, Assistant Professors, Senior Residents, Tutors, Junior Residents and other teaching/non-teaching staff of the institute and/or hospital shall be done by the respective Chair-Person of the selection committee constituted for this purpose in accordance with the Cadre & Recruitment Rules based on MCI regulations and/or guidelines with latest amendments.
- (3) The appointment of Chief Administrative Officer and Chief Accounts Officer cum Financial Advisor shall be done by the State Government on deputation basis.
- (4) The Assistant Administrative Officer shall be appointed on deputation by the State Government.
- (5) The Assistant Accounts Officer shall be appointed on deputation from the State Accounts Department.

- (6) The appointment of Ministerial, Nursing and Para Medical Staff shall be done by the Director cum Dean on the recommendation of a selection committee and with the prior / post-facto approval of Governing Council in accordance with the cadre & recruitment rules.
- (7) The appointment of Para Medical staff and other staff required for the institute as per norms of the Medical Council of India shall be made by the Dean cum Director of the institute subject to the prior / post-facto approval by the Governing Council.
- (8) All the appointments shall be made only against the sanctioned posts. Creation of new permanent posts or additional posts shall be made only with the approval of the Government.
- (9) Appointment of consultants/advisors if required shall be made with the prior / post-facto approval of the Governing Council for such period on such terms as decided by the Governing Council.
- (10) Subject to the prior / post-facto approval of the Governing council, the retired teaching/academic faculty member may be re-appointed temporarily on contract basis with consolidated pay till eligible candidate is available. These appointment are purely academic purpose.

19. Provisions regarding service conditions:- The service conditions including fixation of salary, age of superannuation, conduct of disciplinary proceedings and other issues shall be governed by the rules and regulations framed by the Governing Council and till such rules and regulations are framed and given effect to, the provisions of the Karnataka State Civil Services Act, 1977 and rules framed there under shall apply. This also includes benefits of appointment on compassionate grounds for in-service employees appointed by the institute only. In such cases, the rules framed as per KCSR with the approval of the Governing Council shall be considered.

20. Annual Efficiency Evaluation, Accountability Assessment, of the employees in the institute/hospital: Each employee assessment as per his cadre, work done statement, evaluation by the competent authority, physical and mental health of the employee, shall be evaluated annually, before sanctioning the annual increment by seeking relevant reports from the respective authority. Adhoc committee/s may be constituted for Annual Efficiency Evaluation by the Director cum Dean as per the respective cases. The committee may recommend action deems fit in the individual case including penalties, compulsory retirement, termination of service, withholding of increments, etc., as per KCS (CCA) Rules framed by Karnataka Government including recent amendments.

21. Assets of the Institute :- The Institute shall be the absolute owner of all movable and immovable properties including land and buildings standing in the name of the Institute and other Institutions/hospitals attached to the Institute. No immovable properties of the Institute shall be sold, leased, rented or disposed off by the Governing Council without the prior approval of the State Government.

22. Insurance and Professional Indemnity :- The institution will be insured for buildings, equipments, instruments and assets against all the calamities, riots, etc., the premium of which shall be paid through User charges/funds of the institute. Professional Indemnity against the possible negligence from the individuals/employees and the institution shall be covered. The premium contribution for the Professional Indemnity vis-a-vis hospital shall be paid through User charges/funds of the respective hospital. Individual professional indemnity must be on contributory basis from the respective in-service employee. All insurances and professional indemnity shall be covered only through the lowest quoted Nationalized Insurance Agency.

23. Funds of the Institute :- The Funds of the Institute shall consist of -

- (a) The Income derived from lands, buildings, movable and immovable properties standing in the name and possession of the Institute and transferred to the name of Institute including the attached hospitals and other Institutions on its constitution.
- (b) The grants/grant-in-aid released from time to time from the State Government, Central Government or a local authority or any individual or body from users fund, collection of fees from the undergraduate and postgraduate students, super specialty students and from students of Paramedical courses of the respective Institute. User funds/charges and clinical fees received from other colleges and Institutes, donations and subscriptions from public.
- (c) The Governing Council shall be the custodian of the properties and funds of the institute including the attached Hospital and other institutions.
- (d) All money received for and on behalf of the Institute shall be paid into the account opened in the name of the Institute in any Nationalized Bank duly authorized by the Governing Council. All payments exceeding Rs.500/- shall be made by Cheques/DD/Electronic Transfer.

- (e) All accounts shall be individually opened as per the respective schemes and/or objectives. There shall be no clubbing of accounts for the reasons whatsoever may be.
- (f) Disbursing/utilization of funds shall be made by the Director cum Dean to the specific schemes and/or objectives for which the funds is/are received and there shall be no cross diversion of funds.

24. Creation of User Charges/Funds Committee (Arogya Raksha Samithi/Academic funds and other funds raised for the Institute or the attached hospitals):-

- (1) The Dean & Director of the institute shall be Chair-Person of the User Charges/Funds (Arogya Raksha Samithi/Academic funds and other funds raised for the Institute and/or the attached hospitals) and the Chief Administrative Officer shall be the Member Secretary of the Committee/Samithi. The other members of the committee/samithi are as follows:, Chief Account Officer cum Financial Advisor of the institute, Medical Superintendent & Resident Medical Officer of the respective Hospital shall be the Members of the Samithi and the Heads of the Department of this Institution will be the special invitee as and when the agenda pertaining to that respective department is placed before the committee. The member secretary is delegated with powers to call any official/person to the meeting as and when necessity arises.
- (2) Arogya Raksha Samithi (User Charges/Funds) - The income arising out of treatment charges from the patients clinical charges, Donations/subscriptions etc., received from the public by the Hospital shall be deposited in a Nationalized Bank in the name of the Hospital and jointly be operated by Medical Superintendent of the respective hospital and Chief Accounts Officer cum Financial Advisor after obtaining written approval from the Director cum Dean and Chief Administrative Officer of the institute. The funds of Arogya Raksha Samithi shall be utilized for the overall development of that Hospital. The committee shall prepare action plan for the Financial Year and submit the proposal for approval to the Governing Council. All the expenditures after approval of the action plan by the Governing Council shall be done as per the relevant Guidelines of Karnataka Transparency in Public Procurement Act and shall be audited by chartered accountant and the same shall be submitted to the Governing Council for approval.
- (3) Academic funds and any other funds raised for the Institute and/or the attached hospitals (User Charges/Funds)- The income arising out of

academic fees and any other fees raised by the institute and/or hospital, donations/subscriptions etc., received from the public by the Institute and/or hospital shall be deposited in a Nationalized Bank in the name of the Institute and with written approval from the Director cum Dean and Chief Administrative Officer of the institute shall be jointly operated by Director cum Dean and Chief Accounts Officer cum Financial Advisor. The said funds shall be utilized for the overall development of that Institute/attached hospital. The committee shall prepare action plan for the Financial Year and submit the proposal for approval to the Governing Council. All the expenditures after approval of the action plan by the Governing Council shall be done as per the relevant Guidelines of Karnataka Transparency in Public Procurement Act and shall be audited by chartered accountant and the same shall be submitted to the Governing Council for approval.

- (4) The superintendents of the attached hospitals shall exercise the administrative and financial powers in respect of their hospitals as assigned by the Governing Council for matters related to Arogya Raksha Samithi.

25. Utilization of the Income and Property:-

The Income and property of the Institute shall be utilized solely towards the promotion of the objectives of the Institute as specified in the Memorandum of Association and any such expenditure incurred shall also be subject to the restrictions of the Central Government or the State Government as the case may be.

26. Budget and Accounts:- (1) The Chief Accounts Officer cum financial advisor under the guidance of the Dean cum Director shall prepare annual budget estimates each year for the ensuing year in two parts that is Recurring and Non Recurring expenditure. The budget estimates shall be prepared well in advance, so that it can be examined by the Finance Committee and approved by the Governing Council on time, but not later than 1st October of that year, after which it shall be forwarded to the Government by 15th of October of that year. The preparation of budget estimates shall be as per the financial norms of the Government. The budget estimates have to be prepared separately in respect of Plan and Non Plan duly taking into account the following:-

- (a) The estimates of the preceding year;
- (b) The approved grants for the current year; and
- (c) The estimates for the next year;
- (d) Training and Research;
- (e) Contingency fund;
- (f) Provisions for Pension.

- (2) The money received by the Institute shall be invested in the Nationalized banks and also invested in the modes specified under the provisions of section

(1) (d) read with section 11 (15) of the Income Tax Act, 1961 as amended from time to time with the approval of the Governing Council. The Cheques for withdrawal of amount only be issued by the Joint Signature of the Dean cum Director and Chief Accounts Officer.

27. Audit :- The accounts of the Institute shall be audited regularly by a Chartered Accountant or accountants as defined in the Chartered Accountants Act, 1949 (XXXVIII of 1949) appointed by the Governing Council. The State Government shall direct the accounts to be audited either by the State Accounts department or by the Accountant General. The Accounts of the institute shall be subject to regular Internal Audit. The Governing Council shall comply with the observation of the Audit Report and the Report in this regard along with the Audit Report shall be sent to the State Government

28. Annual Reports :- The Dean/Director shall present the annual report to the Governing Council before the 30th of June of the succeeding year on the working of the Institute/Hospital along with the audited balance sheet and statements of accounts showing the income and expenditure of the Institute. The Audited report of the Institution shall be sent to the State Government.

29. Formation of Committees:- The Governing Council may constitute committees for any purpose and on such terms and conditions as it may specify by an order in addition to the following committees.

I. FINANCE COMMITTEE: There shall be a Finance Committee consisting of the following members which shall meet on a regular interval of three months or as often as required whichever is earlier.

1	Secretary to Government, Department of Medical Education	Chair Person
2	Secretary to Government, Finance Department, or his nominee not below the rank of Deputy Secretary	Member
3	Secretary to Government, Planning Department or his nominee not below the rank of Deputy Secretary	Member
4	Director of Medical Education, or his nominee not below the rank of Joint Director	Member
5	Dean cum Director of the Institute	Member
6	Chief Administrative Officer of the Institute	Member

7	Medical Superintendents of Attached Hospitals	Members
8	Chief Accounts Officer cum F.A. of the Institute	Member Secretary

The quorum for meeting of the Finance Committee shall be not less than five members. The proceedings of the Finance Committee shall be placed before the ensuing Governing Council meeting.

- II. ACADEMIC COUNCIL:** There shall be a Academic Council consisting of the following members which shall meet on a regular interval of two months OR as and when required for taking necessary decisions regarding academic activities.

1	Dean cum Director of the Institute	Chair Person
2	Medical Superintendents of attached Hospitals	Member
3	Registrar, Rajiv Gandhi University of Health Sciences or his nominee not below the rank of Deputy Registrar	Member
4	All Heads of the Departments of the Institute	Member

- III. POST GRADUATE COMMITTEE:** The Post Graduate Committee shall consist of the following members, namely:

1	Dean cum Director of the Institute	Chair Person
2	Medical Superintendents of attached Hospitals	Member
3	Registrar, Rajiv Gandhi University of Health Sciences or his nominee not below the rank of Deputy Registrar	Member
4	All Heads of the Departments of the Institute	Member

Post Graduate Committee shall meet once in six months and discuss and decide upon academic activities related to P.G. Courses in various disciplines.

- IV. ETHICAL COMMITTEE:** The Ethical Committee shall be constituted as per Indian Council for Medical Research Guidelines (ICMR) to approve the synopsis of the dissertation, research activities and clinical trials that are being taken up in the Institute.

30. Functions of the Finance Committee:- The functions of the Finance Committee shall be as follows, namely:-

- (a) To consider and recommend for approval of the Governing Council, the Annual Budget Estimates of the Institute after fully taking into consideration inter alia the Financial Status and commitments.
- (b) To consider and recommend for approval, the annual audited accounts of the Institution.
- (c) To consider and recommend for approval, any few financial proposals which may arise during the course of the year whether already provided for or not in the budget and to approve the re-appropriations of the major heads.
- (d) To consider the quarterly reports of receipt and expenditure submitted by the Dean cum Director and to examine from time to time the adequacy of resources, general financial position of the Institute and to make appropriate recommendations with consultation with the Chief Administrative Officer of the Institute to be placed before the Governing Council; and
- (e) To consider all proposals for creation of new posts.
- (f) Regular review of Internal Audit.
- (g) To examine the proposals with regard to training and research programme.

31. Allotment of funds:- The Dean cum Director shall regulate and operate the budget and allocate funds as approved by the Governing Council.

32. Cheques:- All cheques on banks shall be signed on behalf of the Institute jointly by the Dean cum Director and the Chief Accounts Officer. All cheques, bills, notes and other negotiable instruments payable to the Institute may be endorsed on behalf of the Institute by the Chief Administrative Officer and approval of the Dean cum Director.

33. Custody of cash and valuable documents:- The Chief Accounts Officer shall be responsible for the custody of cash valuable documents such as cheque books, security deposits, agreements, contracts, deeds, fixed deposit receipts, Government securities, cash book and other books of accounts.

34. Accounts: The Institute shall prepare annual statements of the accounts including the balance sheet. The Chief Accounts Officer of the Institute shall advise and assist the Dean cum Director on all matters concerning audit and

accounts. He/she shall be responsible to the Dean cum Director for the accuracy and completeness of the accounts of the Institute in accordance with the Bye-laws of the Institute. Separate annual statements of accounts shall be prepared in respect of funds received from sources other than the Government.

35. Form of Accounts and Other Financial Rules: The Governing Council shall have power to prescribe the form in which the accounts shall be kept and to frame Rules regulating all financial matters. The Dean cum Director is authorized to present the budget keeping in view the requirements of the Institute and its future pattern of development and research.

36. Purchase Committee:- (1) The Purchase Committee shall consist of the following members, namely:-

a) Secretary to Government, Medical Education	Chair-Person
b) Dean cum Director	Vice Chair-Person
c) Representative of the Director of Medical Education not below the rank of Deputy Director (Medical Education)	Member
d) Medical Superintendent of respective Hospital	Member
e) Head of the concerned Department of Institute	Member
f) Chief Administrative Officer of the Institute	Member
g) Financial Advisor cum Chief Accounts Officer	Member Secretary

(2) In cases where the value of the purchases does not exceed Rs.5 lakhs, approval may be obtained by Vice Chair-Person, Purchase Committee.

(3) **Quorum:** Four Members present at the meeting shall constitute the Quorum.

h) Function of Purchase Committee:- All purchases other than the rate contract shall be made after duly following the provisions of the Karnataka Transparency in Public Procurement Act, (KTPP Act) 1999 and Rules, 2000 thereon, subject to post-facto approval of the Governing Council.

i) **Civil Works :** (a) Respective civil and/or electrical works shall be entrusted to the agency of the State Government as decided by the Governing Council.

b) In cases where the value of the civil and/or electrical work estimated does not exceed Rs.5 lakhs, approval may be obtained by Director cum Dean with the justification of the estate officer and the said civil and/or electrical works shall be entrusted to the agency of the State Government.

j) Amendment of rules: a) No amendment to the name of Institute shall be made except in accordance with section 10 of the Karnataka Societies Registration Act, 1960 and its Rules, 1961.

(b) Amendments, ratifications, deletions, additions, modifications to the existing rules, regulations & bylaws has to be placed before the Governing Council and only after the approval of the Governing Council, a suitable Government Order in this regard for amendments shall be sought before executing the said amendments.

ANNEXURE-I
[see rule 9]

**Delegation of Administration and Financial Powers of the
Dean cum Director**

1	To declare stores as obsolete, surplus or unserviceable	To declare stores as obsolete, surplus or unserviceable when the stores have become obsolete, surplus or unserviceable in the normal course and where responsibility could not be fixed for shortage/loss of linen, furniture, utensils & equipments that are older than 8 years.	Full powers
2	Sanctioning Loans	(1) To sanction house building and Advances for House purchase/House repair to the staff of the institute (except deputations) to the extent of admissibility prescribed by the State Government from time to time or until the Governing Council prescribes the scale of admissibility	Full Powers
		(2) To sanction motorcycle/car advance (to the extent prescribed by the State Government from time to time to both Gazetted and non Gazetted employees (except persons on deputation)	Full Powers
		(3) To sanction 80% of advance on LTC or HTC to the employees.	Full Powers
		(4) To sanction temporary advances for withdrawal from the GPF for special reasons (vide schedule V of GPF Rules)	Full Powers
3	To Purchase	(1) Library books, reference books & journals after duly following the provisions of Karnataka Transparency in Public Procurement Act, 1999 and Rules, 2000 there under.	Full Powers
		(2) To purchase Government of India publications & copies of the Administrative reports (if not supplied Free) if necessary	Full Powers
		(3) To purchase articles of office	Rs.1,00,000

		equipment after observing Rules of purchase in case of exigency	In each case
		(4) To purchase linen, bedding and clothing after observing Rules of purchase in case of exigency	Up to Rs.1,00,000
		(5) To purchase diet articles Utensils & Crockery after observing Rules of purchase in case of exigency.	Up to Rs.1,00,000
		(6) Photographic materials and models – Glassware, Stationary articles after Observing Rules of purchase in case of exigencies.	Up to Rs.1,00,000
		(7) To purchase medicine, chemicals drugs, instruments, equipments, after calling for tenders/quotations other than the rate contract of state and central Government duly following the provisions of Karnataka Transparency in Public Procurement Act 1999 and Rules 2000 there under or procurement from the logistic society in case of exigencies.	up to Rs.1,00,000
4	Repair & Maintenance	Order for replacement of parts, servicing, repairs & maintenance: (1) X-Ray & laboratory equipments or any other medical equipments	Full powers
		(2) Monitors, defibrillators, pacemakers and ECG Machine	Full Powers
		(3) Sterilizers, Microscopes & other equipments	Full Powers
		(4) Catheters, transducers, connectors, Oxygenators, Heart valves	Full Powers
		(5) Furniture & Refrigerators	Full Powers
		(6) Building – Annual maintenance and repairs	Full Powers
		(7) To accord Administrative approval for expenditure towards maintenance of building and petty works by following Karnataka Transparency in Public Procurement Act 1999 and Rules 2000 there under	Full Powers
5	Re-appropriation of budget	Re-appropriation of budget from one major head to another in the	Full Powers

		Institute's approved budget. However such re-appropriations does not apply to the following:	
		(1) Diversion of provision from plan to non-plan	
		(2) Expenditure on "New Service"	
6	Payment of Arrears & Claims	(1) To sanction payment of arrears of claims on account of contingent charges (including supplies & services	Five years from the date of claim
		(2) To sanction payment of arrears of salaries & staff	Full powers
7	Release of Official advertisement	To incur expenditure on towards official advertisements in news papers & Gazette after following the existing rules of the Government.	Full powers
8	Security of Institute's Cash	To fix quantum of security deposits to be paid by the persons handling cash, stores and other such items	Full powers
9	Charges for insurance of Goods	To sanction insurance charges on special goods such as delicate Instruments, glassware or other fragile articles when such insurance is a condition of transport or when it is felt necessary	Full Powers
10	Hiring of Private Buildings	To hire private buildings, including land for use of the Institute in consultation with the Executive Engineer of the division OR Revenue authorities as the case may be.	Full Powers
11	Providing new Telephones or Shifting	To provide or acquire telephones to the Institute staff to whom it is considered necessary in the interest of administration & shifting of telephones from one place to another in case of necessity.	Full Powers
12	Expenditure on Scientific Conferences	To meet contingent expenditure on Scientific Conferences in the institute or to meet the delegates fee from the Institute.	Upto Rs.50,000/- each time
13	Expenditure on the meetings of Governing Council & such	To incur expenditure for refreshments	Upto Rs.10,000/- for each meeting

	other committee conferred by the Director		
14	Participation in Exhibitions	To incur expenditure for participating in any exhibition within the State	Rs.15,000/- each time
15	Hiring of Transport	To engage transport facilities to conduct camps	Rs.5,000/- each time
16	Remuneration for Examiners work	Accept remuneration as on examiner or to sanction remuneration to the other examiners or to permit the other staff to receive remuneration as examiners in accordance with the scales fixed by the concerned university or by the Governing Council	Full Powers
17	Delayed Claims	To sanction refund or excess credits of hospital charges or investigation charges provided such claims are supported by documents of original credits with non-payment certificate & provided the claim is preferred within 3 years of the original credit and when it is clearly established that the claim & claimant is bonafide & genuine.	Full Powers
18	Retirement Benefits	To sanction retirement benefits to the staff as per the service conditions of the Institute	Full Powers
19	In charge arrangements	To make in charge arrangement to posts which are vacant on leave or absence and to authorize payment of charge allowance admissible as per the (Karnataka Civil Services Rules)	Full Powers
20	Sanction of leave	1. To sanction maternity leave/paternity leave to the employees attached to the Institute as prescribed in the Karnataka Civil Services Rules.	Full Powers
		2. To sanction any kind of leave to the staff other than special disability leave upto 3 months as prescribed in the Karnataka Civil Services Rules.	Full Powers
21	Journey performed by staff	To permit the subordinate staff to perform journey between places connected by Rail and to claim road	Full Powers

		mileage for to & fro journey when such journeys are required to be performed in the interest of public service.	
22	Sanction of DA	To sanction daily allowance for halts of Officer/Official deputed on duty at admissible rates as per Karnataka Civil Services Rules.	Full Powers
23	Appointment of Part time Teachers & fix their remuneration	To appoint part time Teacher in any speciality & to fix their remuneration (against sanctioned posts)	Full Powers
24	Appointment of Warden	To appoint Warden & Assistant Wardens of hostels	Full Powers
25	Allotment of residential quarters	To allot quarters to the staff as per Karnataka Civil Services Rules	Full Powers
26	Vacation of Quarters	To get the quarters of any staff vacated in the interest of the Institute or in view of any misconduct of the occupants or due to disciplinary proceedings.	Full Powers
27	Penal Rent to Quarters	To fix and recover penal rent from the staff in the case of failure to vacate the quarters within the prescribed time limit as prescribed in Karnataka Civil Services Rules or by the Governing Council	Full Powers
28	Guest Lectures	To incur expenditure on guest lectures	Up to Rs.10,000/- each case
29	Funeral Expenses	To incur funeral expenses as per the scales laid down by the State Government or by the Governing Council	Full Powers
30	Demurrage & shortage charges	To sanction expenditure on demurrage & shortage, provided they are not attributed to negligence of any staff members	Full Powers
31	Gifts to Institute	To accept gifts or donation from public or Institution in the name of the	Full powers subject to the ratification

		Institute	of the Governing Council
32	Expenditure under poor fund	To incur expenditure for poor patients from poor fund to meet the costs of Medicine, Transport, blood charges, providing crutches, instruments, etc.,	Full Powers
33	Condemnation of Time-barred Drugs	To condemn & order for the disposal of time-barred drugs under reasonable circumstances with reasons	Full Powers
34	Uniform to staff	To supply uniforms to the staff as per the scale fixed by the State Government	Full Powers
35	Repair of Motor vehicle	To repair, replacement of parts, services, overhauling including major parts.	Full Powers
36	Periodical Increments	To grant periodical increments to the subordinate staff in the time scale as per Karnataka Civil Services Rules	Full Powers
37	Suspension of Staff	To order for suspension of staff in cases where the Director is the appointing authority.	Full Powers
38	Filling up of Vacancies	1. Temporary & Adhoc appointments to Class "C" & "D" posts	Full Powers up to 6 months or as per the delegation of power by the Governing Council
		2. To fill up all Class "C" & "D" posts	Full Powers
39	Grant of Travelling allowances	To grant Travelling allowance to non-official members attending the commission of enquiry	Full Powers
40	Accepting of Tender	To invite and accept tenders for stores, drugs, buildings, civil works, diet articles, hospital necessities, etc., and place the same before the purchase committee/civil works committee after following the relevant rules.	Full Powers
41	Visiting Professors for Special Lectures	To invite Visiting Professors for Special lectures to the students of the Institute & to meet expenses towards DA/TA including the Air travel fare of such Professors	Full Powers to arrange for not more than 10 lectures & to pay Honorarium to visiting Professors

			at rates between Rs.200/- to Rs.1000/- depending on the status
42	Grant of casual leave	To grant casual leave including special casual leave to staff	Full Powers
43	Accepting resignation	To accept resignation in respect of the official/officers wherever Director is the appointing authority	Full Powers
44	Retirement on invalid grounds	To order for retirement of staff who are bodily, mentally or permanently incapacitated for public services wherever the Director is the appointing authority	Full Powers
45	Posting of staff	Posting of staff, House Surgeons & Residents to the different departments of the Institute	Full Powers
46	Purchase of Blood	To arrange for blood from approved blood banks to the poor patients out of the funds of the Institute in case of non availability of donors	Full Powers
47	Delegation of powers to subordinate staff	The Director may delegate any of his powers to the extent to be specified by him to Chief Administrative Officer, Financial Advisor, and Medical Superintendents.	Full Powers
48	Casual Labour of Contingent establishment	To appoint or engage casual labour on daily wages to appoint on monthly salary (fixed salary) basis for Class "D" & such other categories in emergencies	Full Powers for a period not exceeding 3 months at a time
49	Promotion of Staff	To promote Class "C" & "D" posts and as per the existing C & R Rules	Full Powers

Annexure-II
[See rule 11(3)]

**Delegation of Administration and Financial Powers of the
Medical Superintendent**

The superintendents of the attached hospitals shall exercise the administrative and financial powers in respect of their hospitals with the administrative and financial approval from Chief Administrative Officer, Financial Advisor cum Chief Accounts Officer and Director cum Dean of the institute.

1	To Purchase	(1) To purchase articles of office equipment after observing Rules of purchase in case of exigency	* Rs.25,000/- in each case
		(2) To purchase linen, bedding and clothing after observing Rules or purchase in case of exigency	* Up to Rs.25,000/-
		(3) To purchase diet articles Utensils - & Crockery after observing Rules of purchase in case of exigency	* Up to Rs.25,000/-
		(4) To purchase medicine, chemicals, drugs, instruments, equipments, after calling for tenders/quotations other than the rate contract of state and central Government duly following the provisions of Karnataka Transparency in Public Procurement Act 1999 and Rules 2000 there under or procurement form the logistic society in case of exigencies.	* Up to Rs.40,000/-
2	Hiring of Transport	To engage transport facilities to conduct camps	* Rs.10,000/- each time
3	Expenditure under poor fund	To incur expenditure for poor patients from poor fund to meet the costs of Medicine, Transport, blood charges, providing crutches, instruments, etc.,	* Up to Rs.10,000/-
4	Grant of casual leave	To grant casual leave including special casual leave to staff	Full Powers
5	Posting of Staff	Posting of Group-C and D staff of the Hospital	Full Powers
6	Purchase of Blood	To arrange for blood from approved blood banks to the poor patients out of the funds of the Institute in case of non availability of donors.	Full Powers

* Subsequently enhancement of 10% every year to the above said amount with the approval of the subsequent Governing Council.

Chief Administrative Officer

Sl. No.	Subject	Description	Powers
1	Administration	CAO will be under the control of Director-cum-Dean and look after the administrative work and will function under the guidance of Dean cum Director.	Under the Guidance of Director cum Dean
2	Constitution of Committees	S/he will make arrangement for smooth conducting of various committees of the Institute.	Under the Guidance of Director cum Dean
3	Charges of Administrative importance	S/he will be an entire charge of administrative staff of the institute and hospitals and will appoint employees on contract irrespective of cadre with consolidated pay/out-sourced employees attached to the Institute. As and when required with the recommendations of the concerned HODs/Medical Superintendents on renewable contract with payment through the User charges/funds of the Institution and/or hospitals for non sanctioned posts and through the salary component for the sanctioned post with discretionary powers. The indemnity certificate of the individual is mandatory for all these appointments. S/he is responsible for proper working of the administration of the Institute and attached hospitals.	Under the Guidance of Director cum Dean
4	Duties & Responsibilities	S/he shall perform all such duties and powers delegated to him by the Dean cum Director as may be necessary for smooth and harmonious functions of the Institute/hospitals.	Under the Guidance of Director cum Dean
5		S/he is responsible for looking after the conditions of service of all the employees currently on role in Institution/hospitals either on deputation/OOD/absorption/permanent employee.	Under the Guidance of Director cum Dean

6		S/he shall prepare and maintain a gradation list in respect of each of the categories and shall update and publish the same every year.	Full Powers
7		S/he is responsible for upkeep and proper maintenance of records of the institute and the attached hospitals.	Full Powers
8		S/he responsible for proper maintenance of service register, leave accounts, annual property report and annual performance report of all the staff coming under the control of the institute and hospitals.	Full Powers
9		In the absence of the Chief Accounts Officer cum Financial Advisor of the institution, s/he will hold the complete charge of this post with complete delegation of powers. Absence means: vacant post/deputation/trainings/absent from the institution for more than 3 days/any type of leave sanctioned to the Chief Accounts Officer cum Financial Advisor.	Under the Guidance of Director cum Dean
10	Administrative Powers	Preparation of agendas, notes, proceedings of the meetings and implementation of the same within the stipulated time frame.	Under the Guidance of Director cum Dean
11		Service Matters, Audit paras Court, Administrative Tribunal, Lokayukta, Right to Information Act, Human Rights Commission matters, Legislative matters of above Institute/hospitals. His/her orders shall be binding to all the staff of the institute/hospitals.	Under the Guidance of Director cum Dean
12		Clinical Facilities of Medical, Paramedical and allied sciences in the institute/hospitals.	Under the Guidance of Director cum Dean
13		Conducting departmental enquiries, enforcement of attendance of all staff, review of work of non-medical & administrative staffs.	Under the Guidance of Director cum Dean

14		CAO of the Institution may impose on any of the Government Servant belonging to the Institution of Group-C & D cadres working under his administrative control in the institution, any of the penalties specified: fine in the case of Government Servants, Censure, Withholding of increments, withholding of promotions, Recovery from pay of the whole or part of any pecuniary loss caused by negligence or breach of orders to the State Government, Institution/hospitals.	Under the Guidance of Director cum Dean
15		To organize the administrative office into suitable branches, sections, compilations and to maintain organizational chart displaying the composition and functions of every section of the institute/hospitals.	Under the Guidance of Director cum Dean
16		To assign work to each case workers, Office Superintendents, Assistant Administrative Officers of all compilations and to ensure with the help of his assistant, that every person discharges his/her duties satisfactory.	Under the Guidance of Director cum Dean
17		To oversee satisfactory and prompt clarifications/replies to any subject pertaining to the institution/hospitals/ individuals irrespective of the cadres from the institution/attached hospitals.	
18		To arrange for speedy and smooth disposal of work in the administrative office.	Full Powers
19	Legal and other Matters	S/he shall look after court matters, Right to Information Act, matters relating to Human Rights, labour problems, outsourcing problems etc., of the Institute/hospitals.	Under the Guidance of Director cum Dean
20	Section Inspection	To visit periodically the different sections of the offices, table inspections of the staff and oversee the progress of work in the office.	Full Powers
21	Protocol Duties	S/he will oversee all the contingencies and protocol/VIP/VVIP/MCI/LIC inspections/	Full Powers Within

		Research Scholars of other universities/ Delegates (National/international) visits to the institution, assigning of duties as per procedure of the institution. Powers to mobilize logistics support and resources of all kinds under the guidance of Director cum Dean.	Rs.5000/- per subject & above Rs.5000/- Under the Guidance of Director cum Dean
22	Sanctioning Allowances	S/he is the deputing authority for various official duties (local/non local) for the smooth functioning of administration as and when required and also the authority to sanction allowances like travelling allowance, daily allowance, medical claims, teaching allowance, etc., for various cadres and/or posts of the institution/attached hospital permanent and/or contract posts as per prevailing norms/rules.	Full Powers Within Rs.10,000/- per individual & above Rs.10,000/- Under the Guidance of Director cum Dean
23	Other Duties	S/he shall perform any other duties entrusted to him by the issue of specific orders from the Director-cum-Dean.	Under the Guidance of Director cum Dean

Financial Advisor cum Chief Accounts Officer

Director cum Dean will be the Drawing & Disbursing Officer

Sl. No.	Subject	Description	Powers
1	Disbursing Powers	The Financial Advisor will be the disbursing officer of the institute and shall work under the complete control of Director-cum-Dean of the Institute.	Under the control of Director cum Dean
2	Duties & Responsibilities	S/he will assist the Director-cum-Dean in all financial matters.	Under the control of Director cum Dean
3		S/he will be solely responsible for maintenance of accounts relating to cash transactions, ie. Cash books, permanent advance register, contingent register etc.	Full Power
4		S/he is the disbursing officer and clear the pay bills and other financial bills of establishment, procurements made under various heads of account of the Institute/attached hospitals with administrative approval on each individual file by the Chief Administrative Officer counter signed by the Director cum Dean.	Under the control of Director cum Dean
5		S/he is responsible for preparation of Annual Budget estimates to be placed before the Finance Committee and Governing Council for approval as per the byelaws of the Institute and the hospitals with the consultation of Chief Administrative Officer and concerned Medical Superintendent.	Under the control of Director cum Dean
6		S/he is attached with the duties of tendering process (as per KTPP Act and relevant KTPP rules wherever applicable), for all aspects including human resources, procurement of equipments, furniture, diet, drugs, chemicals, HNS	Under the control of Director cum Dean

		etc., pertaining to the Institute and/or attached Hospitals with the consultation of Chief Administrative Officer and concerned Medical Superintendent before going for procurement.	
7		S/he is responsible for getting the contractual agreements and/or MOUs executed by the stake holders in favour of the Institute with the consultation of Chief Administrative Officer.	Under the control of Director cum Dean
8		S/he will advise the Dean cum Director on all matters concerning audit and accounts. S/he will be responsible to the Dean cum Director for the accuracy and completeness of the account of the institute and attached hospitals in accordance with byelaws of the Institute and existing KFC & rules with recent amendments.	Full Powers
9		S/he will prepare separate annual statement of accounts in respect of funds received from sources other than Government.	Under the control of Director cum Dean
10		S/he shall be responsible for the custody of cash and valuable documents such as cheques book, security deposit, agreements, contracts, fixed deposit receipts, government security, cash book etc.	Full Power
11		S/he is the joint signatory for all negotiable instruments of the Institute and/or attached hospitals along with Dean cum Director.	Under the control of Director cum Dean
12		S/he will exercise and check according to the purchase and financial rules on all purchases made in the institute and attached hospitals and arrange payment	Under the control of Director cum Dean

		of bills after the scrutiny and proper accounting in the stock register (read along with Sl. No.4 of the delegation of powers of Financial Advisor cum Chief Accounts Officer).	
13		Matters relating to pay fixation, Revision of pay scale, Service and financial matters of the Institution/hospitals with the approval of the Chief Administrative Officer and Director cum Dean.	Under the control of Director cum Dean
14		Grant of Additional Increment for 20 years of continuous service without promotion with the approval of the Chief Administrative Officer and Director cum Dean.	Under the control of Director cum Dean

**BYE-LAWS OF: Bowring & Lady Curzon Medical College & Research Institute,
Shivajinagar, Bengaluru**

1. Short title, extent and commencement:- These bye-laws are called the **Bowring & Lady Curzon Medical College & Research Institute, Bengaluru**

(2) They apply to the INSTITUTE and other Institutions attached to it.

(3) These bye-laws shall come into force from such date on which the Government by notification directs.

2. Definitions:- In these Bye-laws unless the context otherwise requires,

- (a) "Academic Staff" / "teaching staff" means any member of the Teaching Staff who is wholly engaged in the Teaching, Clinical work and Research Programme or other teaching related assigned duties. These faculties shall be qualified as per MCI guidelines and working in the institute as teachers for UG/PG/super speciality courses.
- (b) "Appointing Authority" means (1) Karnataka Government in respect of the first Dean/Director, Chief Administrative Officer, Chief Accounts Officer cum Financial Advisor/Accounts officer and other Gazetted officers.
(2) Chair-Person of the Governing Council in respect of the subsequent Dean/Director, Vice Dean, Medical Superintendents, Group A & B posts and other equivalent posts.
(3) Dean cum Director of the Institute for all Group "C" and "D" posts.
- (c) "Chair-Person" means the Chair-Person of the Governing Council, the Standing Committees and Sub-Committees as the case may be in the Institute.
- (d) "Controlling authority" means the Authority as defined under the Rules and Regulations of the Institute.
- (e) "Director" means the Dean cum Director of the Institute.
- (f) "Employee" means any person in the service of the Institute working in any cadre or any post.
- (g) "Governing Council" means the Governing Council of the Institute.
- (h) Group "A", Group "B", Group "C" and Group "D" posts in the institute shall correspond to the classification of the posts vide rule 5 of Karnataka Civil Services Rules (Classification, Control and Appeal) Rules, 1957.
- (i) "Institute" means the Bowring & Lady Curzon Medical College & Research Institute, Bengaluru.
- (j) "Rules" means the Rules and Regulations of the Institute.
- (k) "Calendar Year" means the year commencing from 1st January to 31st of December of the particular year and "Financial Year" means the year from 1st April of the year and ending on 31st March of the succeeding year.
- (l) "Honorary Teachers" means a teacher/s teaching that subject/s where there is

no person available from amongst the regular teaching faculty to teach with required qualification in the institute as on that day. In exceptional cases personnel with suitable qualification and interest to teach on honorary basis in the college including paramedical, nursing, allied health sciences, undergraduate courses, without any claim for promotion or change of cadre may be considered to teach in that subject without affecting his/her official duties in the cadre appointed by the Director cum Dean of the institute.

- (m) "Casualty Medical Officer (CMO)" means Doctors pertaining to duties in Casualty and/or medico-legal cases and is a non-cadre post.
- (n) "Intensive Care Medical Officer (ICMO)" means Doctors pertaining to duties in respective subjects and is a non-cadre post.
- (o) "Medical Officer" "Senior Specialist" "OPD Surgeon" "Civil Surgeon" "Resident Medical Officer" means those Doctors as defined by the Health & Family Welfare Department, Government of Karnataka.
- (p) "Duty Doctors" means doctors appointed exclusively for treatment of patients for Hospital in the clinical subject and is a non-cadre post.
- (q) "Consultant Specialist" means doctors with post graduate and/or super specialty qualifications appointed exclusively for treatment of patients in the hospital and/or institute and is a non-cadre post.
- (r) "Junior Resident" means those Doctors as defined in the MCI guidelines including amendments.
- (s) "Tutor", "Senior Resident", "Assistant Professor", "Associate Professor", "Professor" means those Doctors as defined in the MCI guidelines including amendments.
- (t) "Head of the Department (HOD)" means those Doctors as defined in the MCI guidelines including amendments.
- (u) "Medical Superintendent" means as defined in the MCI guidelines including amendments.

3. Employees to be whole time employees:- Unless otherwise provided, an employee of the Institute shall be treated as a whole time employee of the Institute, and has been appointed on regular basis in accordance with the rules/byelaws of appointment to attend regular whole time duties as assigned to him and for additional duties entrusted by the authority concerned.

- 4. Scale of pay for teach staff:-** Scales of pay of teaching staff and other special allowances shall be those, as sanctioned by the State Government from time to time.
- 5. Scale of pay for non-teaching staff:-** Pay and allowances shall be on par with the pay and allowances of employees in the equivalent cadre in the Department of Health and Family Welfare, Government of Karnataka.
- 6. Probation:-** (1) Every employee appointed by the Institute by direct recruitment shall be on probation for two years. This condition shall not be applicable to the officials who have undergone probation while in Government service in an equivalent post and such probation has been declared to have been satisfactorily completed.
- (2) During the period of Probation the employee shall be required to put in satisfactory service failing which his/her services shall be liable for discharge at any time without any prior notice by the Appointing Authority.
- (3) The period of Probation may for reasons to be recorded in writing, be extended by the Appointing Authority.
- (4) Provided that in respect of matters not covered under this rule, the provisions contained in the Karnataka Civil Services (Probation) Rules, 1977 shall be applied mutatis mutandis.

7. PROVISIONS REGARDING SERVICE CONDITIONS:

The terms of service, salary, age of superannuation, conduct and disciplinary rules and such other related service matters in respect of persons appointed under rule 15, 18 & 19 except the appointments made by the Government and conditions laid down therein shall be governed by such bye-laws framed by the Governing Council (As per Annexure-II of C&R rules & other service rules).

8. PERMANENT & TEMPORARY POSTS:

1. The posts created by the Governing Council in accordance with clause 3 of sub clause (27) of the Memorandum of Association and Rule 10 sub-rule (4)(g), Rule 18 and 19 of Rules and regulations of the Institute may be either permanent or temporary as the Governing Council may specify from time to time.
2. Renewal of temporary posts may be determined by the Governing Council from time to time on the recommendations of the Director.
3. Notwithstanding anything contained in Rules & Regulations or in the Byelaws or in the Cadre & Recruitment Rules of the Institute, the Governing Council may invite a person of high academic distinction and professional attainment to

accept post of Professor/Surgeon/specialist/scientist on such terms and conditions as the Governing Council may approve from time to time.

4. The Governing Council may appoint person of high academic distinction of professional attainment in any other University or Institute or Organisation in India or abroad for undertaking a joint project in accordance with Clause 3 sub-section (23) of the Memorandum of Association of the Institute.
5. The Governing Council may create such Honorary Consultants post and can be appointed if only there is real lacunae in the service facilities and such incumbents must have necessary qualification and experience recognised by the Indian Medical Council and University, by persons of high standing in the profession and such appointments shall not be more than two at a time.

9. PROBATION:

1. Unless otherwise decided by the appointing authority in any case, every employee shall be on probation for a period of two years, provided that such probation is not applicable in the case of an employee who has undergone probation while in Government Service and such probation had been declared to be satisfactory.
2. During the period of probation the employee shall be require to put in satisfactory service failing which his services shall be liable to termination at any time without any prior notice and without any reason being assigned for the same by the appointing authority.

10. TERMINATION:

1. All appointments shall be terminable on a notice in writing, either by the appointing authority or the employee without assigning any reason as set out below:
 - a) During the period of probation - 1 Month
 - b) After completion of period of probation - 3 Months
2. The notice referred to in Bye-law 7 Sub-byelaw (1) above, shall not be necessary, if in lieu thereof an amount equal to the pay and allowances for the period of notice is paid.
3. In the case of permanent appointment, if the order of termination is passed by any authority other than the Governing Council, an appeal shall lie to the Governing Council against the order within a period of 30 days from the date.

11. RETIREMENT ON MEDICAL GROUNDS:

1. Notwithstanding anything contained elsewhere in those byelaws, the appointing authority, may retire an employee on three months prior notices from the service of the Institute on account of permanent physical or mental disability incapacitating him/her for further service, if so, certified by the Medical Board appointed by the Governing Council.
2. The decision of the appointing authority shall be final and binding on the employee concerned.
3. The notice referred to in Byelaw 8 Sub-byelaw(1) above shall not be necessary if in lieu thereof an amount equal to the pay and allowances for three months is paid.

12. RETIREMENT ON MORAL GROUNDS:

1. Notwithstanding anything contained in these byelaws, the appointing authority, may retire an employee on three months prior notices from the service of the Institute on account of moral turpitude or malpractices, if so proven by an enquiry institute by the appointing authority.
2. The decision of the appointing authority shall be final and binding on the employee concerned.
3. The notice referred to in Byelaw 9 Sub-byelaw (1) above shall not be necessary if in lieu thereof an amount equal to the pay and allowances for three months is paid.

13. PERFORMANCE OF DUTIES

Every employee shall perform such duties have been entrusted to him and shall, to the best of his ability, carry out the lawful directions of the Governing Council, of the Director, or of any other authority he may be subject to:

14. QUALIFICATION FOR APPOINTMENT:

1. Age, experience and other qualifications for appointment to all posts in the Institute shall be as prescribed under the Cadre & Recruitment rules (as per Annexure 1 of C&R Rules and other Service Rules).

2. No person who does not possess any medical qualification shall be appointed to the posts of Director cum Dean, Medical Superintendent and Resident Medical Officer of the institute.
3. While making appointments to any of the posts, in the Institute the appointing authority shall take into consideration the policy of the Government with regard to the members of the Scheduled Castes/Tribes and other reservation categories.
4. As far as may be practicable, the percentage of reservation prescribed by the State Government for the candidates belonging to the SC/ST, Backward Classes and other categories, in the matter of appointment to posts in the State Government shall be observed.
5. Such application fee, up to Rs.10/- as may be decided by the appointing authority for each category of post may be charged from candidates applying for appointments. Remission of 75% of fees shall be made in the case of SC/ST candidates.

15. Disciplinary Action:- Disciplinary Action against any employee may be taken at any time after duly following the procedures laid down in the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

16. Retirement:- The provisions of Karnataka Civil Service Rules (KCSR) relating to retirement including compulsory retirement, voluntary retirement, superannuation and on invalid grounds shall apply.

17. Duties:- Every employee shall perform his duties to the best of his ability and carry out the duties assigned to him by the Dean cum Director or any other concerned authority. The Medical personnel working in the Institute shall follow professional ethics maintain dignity and decorum in the Institute and render devoted service to the patients besides their teaching responsibilities. The provisions of the Karnataka Civil Services (Conduct) Rules, 1966 shall muttatis muttandies apply to the employees of the Institute.

18. Permanent and temporary posts:

- (1) The permanent or temporary posts created by the Government Council in accordance with rules and regulations of the Institute with prior approval of the Government, may be continued from time to time.
- (2) Renewal of temporary posts may be determined by the Governing Council from time to time on the recommendations of the Director in consultation with State Government.

19. Method of recruitment and minimum qualifications for appointment:- (1)

The categories of posts, their scale of pay, their number, method of recruitment and minimum qualifications for appointment to all the posts shall be as specified in the cadre and recruitment rules.

- (2) The age limit and other conditions of appointment in the larger interests of the Institute shall be subject to the terms and conditions of the Medical Council of India, and as per Minimum Qualification for teachers in Medical Institutions Regulations, 1998 and subsequent amendments thereof subject to the rules/orders of the State Government.
- (3) Under no circumstances, for any posts the minimum qualification prescribed shall be relaxed.
- (4) While making recruitments/promotion to any posts, the rules of reservation for persons belonging to the Scheduled Castes or Scheduled Tribes and Other Backward Classes as made from time to time by the State Government shall be followed.
- (5) No person who does not possess the Medical qualification shall be appointed to the posts of Dean cum Director, Medical Superintendent and Professor and Head of the Department, Professors, Associate Professors, Chief Research Officer, Assistant Professors, Lecturers, Research Assistants, Senior/Junior residents, Tutors and Duty Doctors shall be appointed as per the minimum qualification prescribed in the C & R Rules. Till C & R rules are framed, MCI guidelines or prevailing norms of the State Government shall be followed.
- (6) Selection for the post of Medical Superintendent : Qualification as per the MCI guidelines and one amongst the five senior most Professors in the institute on selection through seniority cum merit basis and not vis-versa. Any person with less than one year of service / superannuation shall not be considered for the said post. Under no circumstances retired official shall be considered for the said post. Any person appointed for this post shall serve in the said post for a maximum of 5 years. Under no circumstances the person may be continued in this post after completion of 5 years. The Member Secretary of the selection committee shall notify for the said post, three months prior to the completion of term of the respective post.

20. CONSTITUTION OF SELECTION COMMITTEE FOR APPOINTMENTS:

1) There shall be the following Selection Committee to make recommendations to the Governing Council for appointments to the various posts:

a) FOR THE POST OF DIRECTOR CUM DEAN:

- | | | |
|--|---|-------------------|
| i) Chair-Person, Governing Council | - | Chair-Person |
| ii) Vice Chair-Person, Governing Council | - | Vice Chair-Person |
| iii) Vice Chancellor, RGUHS | - | Member |
| iv) Director of Medical Education | - | Member |
| v) Chief Administrative Officer | - | Member Secretary |

b) FOR THE POST OF PROFESSORS/ASSOCIATE PROFESSORS/CHIEF RESEARCH OFFICER:

- | | | |
|---|---|-------------------|
| i) Vice Chair-Person, Governing Council | - | Chair-Person |
| ii) Director cum Dean | - | Vice Chair-Person |
| iii) Director of Medical Education | - | Member |
| iv) One outside expert of the subject
Within the State | - | Member |
| v) One expert outside the state of the subject- | - | Member |
| vi) Chief Administrative Officer | - | Member Secretary |

c) FOR THE POST OF ASSISTANT PROFESSORS/LECTURERS/RESEARCH ASSTS/RESIDENTS/TUTORS/DUTY DOCTORS:

- | | | |
|---|---|--------------|
| i) Director cum Dean, | - | Chair-Person |
| ii) Prof. & Head of the Dept. of
Concerned speciality of B&LCH | - | Member |
| iii) Nominee of the Secretary to
Government, Medical Education
Department | - | Member |
| iv) Director of Medical Education | - | Member |
| v) One representative from Rajiv
Gandhi University of Health
Sciences | - | Member |
| vi) Medical Superintendent of the
Institute | - | Member |
| vii) Chief Administrative Officer | - | Member |

d) FOR THE POSTS OF GAZETTED/TECHNICAL/MINISTERIAL POSTS:

- | | | |
|--|---|------------------|
| i) Director cum Dean, B&LCH | - | Chair-Person |
| ii) One nominee of the Secretary to
Govt. Medical Education
Department | - | Member |
| iii) One nominee of the Director
of Medical Education | - | Member |
| iv) Medical Superintendent of the
Institute | - | Member |
| v) Chief Administrative Officer
of the Institute | - | Member-Secretary |

e) FOR OTHER CATEGORIES OF POSTS:

- | | | |
|---|---|------------------|
| i) Director cum Dean, B&LCH | - | Chair-Person |
| ii) Medical Superintendent of the
Institute | - | Member |
| iii) Chief Administrative Officer of the
Institute | - | Member Secretary |

2. The posts may be filled by invitation/promotion/open advertisement or deputation from State Government as may be deemed fit by the appointing authority.
3. The Selection Committee shall meet at Bengaluru. It shall examine the credentials of all persons who are being considered for appointment to the post.
4. The Selection Committee shall decide its own procedure for conducting the selection. It shall prepare a panel of names in order to merit.
5. Where a candidate has applied for any post, it shall be open to the Selection, Committee to recommend him/her for appointment to any other post, whether it be equivalent or higher or lower than the post applied for.
6. When a vacancy occurs in any post owing to death, resignation or any other reason, within 6 months of the incumbent joining duty, the appointment authority may offer the appointment to the next candidate, if any, recommended by the Selection Committee.

ADVANCE INCREMENTS ON INITIAL APPOINTMENT:

1. The Selection Committee may recommend advance increments not exceeding seven on initial appointment in any particular case, having regard to the qualifications, attainments and such other similar aspects of the candidates.
2. The appointing authority shall take every such recommendation into consideration while fixing the initial pay of the person appointed.

APPOINTMENTS TO POSTS IN ADDITION TO SANCTIONED CADRE:

Notwithstanding anything contained in these Byelaws:

1. The Governing Council/Chair-Person on recommendation of the Director cum Dean may make appointments/depute a person to the posts other than those in sanctioned cadre on such terms and conditions as it may decide in each case.
2. Specialists and scholars may be invited by the Director to participate in the work of the Institute for specific period of such honoraria as may be fixed by the Governing Council.

21. Method of Recruitment:- Method of recruitment is either by promotion or by direct recruitment or by deputation as per C & R Rules/Bye-laws of the Institute.

22. Procedure for direct recruitment:-

(1) The Institute shall take necessary steps to invite application from all eligible candidates by advertising the vacancies in the institutional website specifying the conditions of eligibility, method of selection applicable, provisional number of vacancies to be filled and their classification according to reservation policy of the state.

(2) An abstract of such advertisement shall also be published in more than one widely circulated newspaper in the regional language and such other media of publication as it may deem fit.

(3) The Selection Committee shall verify the credentials of all the persons to be considered for the appointment.

(4) The Selection Committee shall prepare a panel of names and recommend the

names for selection in the order of merit subject to the reservation policy of the State.

(5) The Selection Committee may also prepare an additional list of eligible candidates not exceeding 10% of the vacancies notified but the candidates in the additional list shall be appointed only to the extent of the vacancies that occur if the candidates in the main list do, not join duty within the stipulated time.

(6) In respect of posts to be filled by promotion, shall be filled by seniority cum merit, only after complying with Medical Council of India (MCI) norms.

23. Method of selection:-

The method of selection shall be on the basis of merit. The merit is assessed on the basis of the performance of the candidates and the marks obtained in the interview, as detailed below.

(1) Professor/Associate Professor/Assistant Professor:

- | | |
|--|----------------|
| (a) Number of Publications in National/Indexed Journal above the stipulated number specified for the post by the MCI – ½ mark for each paper subject to a maximum of | 2 marks |
| (b) Number of Publications in International Journals – 1 mark for each paper subject to a maximum of | 2 marks |
| (c) WHO Fellow ship in the same subject / University Gold Medal | 1 mark |
| (d) Higher experience than required for that post – ½ mark for each year to maximum of | 2 marks |
| (e) Presentation of papers/lectures in State/National/ International Conferences – ½ mark for each paper subject to a maximum of | 2 marks |
| (f) Personality/Presentation in the Interview | 6 marks |

(2) For Senior Residents, Junior Residents and Tutors

The method of Recruitment shall be on the basis of merit. The merit list shall be prepared by adding 85% of the aggregate marks obtained in the Qualifying Examination and the marks obtained in the Interview conducted by the selection committee. The maximum marks in the Interview shall be fifteen (15) and shall be distributed as follows:

- | | |
|---|----------------|
| (a) Post Graduate Degree/Diploma in the concerned subject | 5 marks |
| (b) Number of Publications in International/National/ Indexed Journal above the stipulated number specified for the post by the MCI – ½ mark for each paper subject to a maximum of | 2 marks |
| (c) Presentation of papers/lectures in State/National/ International Conferences – ½ mark for each paper subject to a maximum of | 2 marks |
| (d) Personality/Presentation in the Interview | 6 marks |

(3) For Group 'C' and 'D' Ministerial Staff (Non-Teaching Staff):

The method of selection for Group 'C' and 'D' Ministerial posts shall be as per the provisions of the Karnataka Civil Services (General Recruitment) Rules, 1977 and the Karnataka Civil Services (Recruitment of Group-A, Group-B, Group-C and Group-D posts) by Competitive Examination and Selection (General) Rules, 2006 subject to the modification that the selection committee specified in these rules shall perform the duties of the Karnataka Public Service Commission:

Provided that if any candidates secure equal marks, then preference to the candidates shall be given in the following order, namely:- (a) Who has higher qualification than required. (b) Who has more experience than required. (c) The person older in age being placed higher in the merit.

(4) Method of recruitment for Duty Doctors :-

The Duty Doctors will work in the hospital in various departments where there is necessity. The Duty Doctors may be appointed from the MBBS pass level with the scale of pay of the CMO/Medical Officer in the Health Department.

The method of Recruitment shall be on the basis of merit. The merit list shall be prepared by adding 90% of the aggregate marks obtained in the Qualifying Examination and the marks obtained in the Interview conducted by the selection committee. The maximum marks in the Interview shall be ten (10) and shall be distributed as follows :

(5) Method of recruitment for Technical Staff:-

The method of Recruitment for the post of technical staff shall be as follows:

90% of the Marks from the competitive examination and 10% of the Marks from viva-voce.

Viva-voce marks shall be as follows:

- | | |
|---|----------------|
| 1) Qualification above the minimum required | 2 marks |
| 2) Experience in the same job in a medical college 1 mark per year up to a Maximum of | 2 marks |
| 3) Personality/Presentation and subject in the Interview | 6 marks |

24. Promotion of higher post:- (i) Subject to the provisions of the recruitment rules of the Institute and in case where the C & R Rules of the Institute provide for promotion to a post, such post shall be filled by promotion on the basis of seniority. Promotions for teaching cadres as per MCI guidelines shall be considered based on senior cum merit in the respective cadres, where seniority shall prevail from among the qualified members of the staff.

(ii) The agenda for promotions shall be placed before the Departmental Promotion Committee (DPC) which shall adhere to the following conditions:

(a) Clear vacancy with sanctioned post in the respective department.

(b) Personnel with qualifications mentioned in the MCI guidelines with recent amendment (prospective nature) rules as on the day the vacancy exists in the department.

(c) Under no circumstances other department vacancies lean be shifted or considered for promotions.

(d) The promotions shall be effected from the date on which the DPC meeting is held and the seniority to be considered from the date of DPC meeting.

(e) The decisions including approvals/rejections considered in the DPC meetings are binding and final. These shall come to effect as on date of DPC meeting.

(iii) The Departmental Promotion Committee (DPC) shall consist of the following members, namely:-

- | | |
|---|--------------------------|
| (a) Secretary to Government
In-charge of Medical Education | Chair-Person |
| (b) Dean cum Director | Vice Chair-Person |
| (c) Director of Medical Education or representative
not below the rank of Joint Director | Member |
| (d) Deputy Secretary to Government,
Medical Education Department | Member |
| (e) Chief Administrative Officer | Member Secretary |

25. Special provisions

(1) Notwithstanding anything contained in the rules or regulations or in the bye-laws or in the Cadre and Recruitment Rules of the Institute, the Governing Council may on the recommendation of the selection committee invite a person of high academic distinction and professional attainment to accept a suitable sanctioned post on same terms and conditions applicable to the post. The selection committee for the concerned posts shall obtain the opinion of a subject expert who shall be identified by the Governing Council.

(2) The Governing Council may appoint a person of high academic distinction or professional attainment of any other University or Institute or Organization in India or abroad for undertaking a joint project.

(3) The Governing Council, as it deems fit, may take the services of honorary consultant in the interest of delivery of satisfactory patient services or in teaching as the case may be.

26. Deputation and permission to visit, work and study outside the Institute:-

The Director may depute members of the academic staff and other staff to any place outside the Institute but within India for the work of the Institute or for any other specified purpose. If the period of deputation exceeds 3 months and if it is to any place outside the country, approval of the Governing Council shall be obtained.

27. Provident Fund, Person and Gratuity benefits:- The Governing Council with the approval of the State Government shall frame separate rules to govern the service conditions and other related Rules like introduction of Contributory provident Fund in lieu of pension and other retirement benefits on par with the State Government Employees.

28. Disciplinary proceedings:- (1) The provisions of the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957 shall apply subject to modification specified in Schedule-I to conduct disciplinary proceedings against the employees, till such time separate rules are framed by the Governing Council.

(2) The State Government officials on deputation to the Institute shall be governed by the Karnataka Civil Services (Classification, Control and Appeal) Rules, 1957.

29. Seniority:- The Director cum Dean of the Institute shall prepare and maintain a gradation list in respect of each of the categories of employees and publish the same on the 1st of January every year.

(1) The seniority of the employees in each category shall be determined by order of merit in which they were selected for appointment to the cadre in question. It shall be subject/department wise in respect of teaching cadres. In respect of non-teaching staff, cadre wise seniority list shall be prepared and published.

(2) Where two persons are appointed **on the same date**, the seniority between them shall be determined as follows, namely:-

(i) A member appointed by promotion shall be senior to a member appointed by direct

recruitment.

(ii) In case of members appointed by promotion, seniority shall be determined according to the seniority of such members in the cadres (fitment cadre) from which they were promoted.

(iii) In case of members appointed by promotion from different cadres, then the member who is on a higher scale of pay shall be senior to those in lower scales.

(3) Vertical Seniority (Common Gradation list) of various departments for teaching cadre to the appointment of Administrative Posts: In exception to the above (1) & (2) the seniority vis-a-vis any cadre shall be considered based on the original seniority as mentioned in the respective selection process at the time of entry to Government service/institution. Seniority in every cadre shall consider the overall seniority (vertical seniority) based on the immediate fitment cadre. For example: The selection of Director cum Dean shall consider the overall vertical seniority of and from amongst the cadre of 5 senior most Professors in the Institute. This cadre of Professors termed as the fitment cadre shall consider the vertical seniority based on the original seniority as mentioned in the respective selection process at the time of entry to Government service/institution. (PROMOTION/C&R/APPOINTMENT/ADMINISTRATIVE)

(4) In case of any dispute regarding the seniority, the decision of the appellate authority in respect of concerned cadre shall be final.

30. Superannuation:- The age of superannuation in respect of all the permanent employees of the Institute is 60 years. A Dean cum Director appointed for a term shall retire at the age of 60 and reappointed with the scale of pay of the last salary drawn/be relieved at the end of the term or on the attainment of 65 years, whichever is earlier for the first Director cum Dean appointment. The age of superannuation shall be as per the order issued by the Government of Karnataka from time to time.

31. Interpretation:- In case of any doubt or difficulty in understanding the clauses of the bye-laws, the Governing Council shall be competent to interpret and decide. The decision of the Governing Council shall be final and binding on the employees.

32. Application of other provisions:- (1) The provisions of the following rules shall mutatis mutandis apply to the employees of the Institution:

- (1) The Karnataka Civil Services (Probation) Rules 1977,
- (2) The Karnataka Civil Services (Conduct) Rules 1966,
- (3) The Karnataka Civil Services (Performance Reports) Rules, 2000
- (4) Karnataka Civil Services Rules.

(2) All other rules regulating the conditions of service of employees in so far as they are not inconsistent with the provisions of these rules shall mutatis mutandis apply.

33. REPEAL AND SAVINGS:-

Bowring & Lady Curzon Medical College & Research Institute, Bangalore, Byelaw 2017

are hereby repealed. Provided that any order issued, any appointment made, anything done or any action taken under the provisions of any of the repealed byelaws shall be deemed to have been issued, made, done or taken under the provisions of these byelaws and shall, until altered or cancelled, continue to be in force. However this bye laws shall prevail over the repealed bye laws in all matters of dispute.

SCHEDULE I
(See Bye Law 19)

Sl. No.	Class of Posts	Authority empowered to appoint	Authority empowered to impose penalties and penalties which he may impose		Appellate Authority
			Authority	Penalties	
1	2	3	4	5	6
1.	Dean cum Director, Professor, Associate Professor, Chief Research Officer	Vice Chair-Person of the Governing Council	Vice Chair-Person of the Governing Council	Rule 8 clauses (ii), (iii), (iv) to (viii)	Governing Council
2.	Assistant Professor, Lecturers, Research Assistants Residents, Tutors, Duty Doctors	Director cum Dean	Director cum Dean	Rules 8 Clauses (ii) to (viii)	Vice-Chair-Person of the Governing Council
3.	Group "C" employees	Director cum Dean	Director cum Dean	Rules 8 Clauses (ii),(iii), (iv) to (viii)	Vice-Chair-Person of the Governing Council
4.	Group "D" employees	Director cum Dean	Director cum Dean	Rules 8 Clauses (i), (ii), (iv) to (viii)	Vice-Chair-Person of the Governing Council
5.	Other Category of Post	Director cum Dean	Director cum Dean	Rules 8 Clauses (ii),(iii), (iv) to (viii)	Vice-Chair-Person of the Governing Council